

HOLMES SCORES A POINT.

HIS FIRST GLEAM OF HOPE.

ZEL CHILDREN RULED OUT.

THE JUDGE'S DECISION CONFUSES THE PROSECUTION AND DELAYS THE TRIAL—HOLMES

WIFE'S WHEN CONFRONTED WITH HIS
YOKES, HIS ALLEGED WIFE-HER
STORY AND THAT OF DETEC-
TIVE DEVER—THE END BE-
LIEVED TO BE NEAR.

Philadelphia, Oct. 31.—The first gleam of hope which has come to Holmes since he was arraigned for the murder of Benjamin F. Pitzeis to-day broke through the rift of the dark cloud of damaging evidence in which he has been enveloped. His attorneys this afternoon succeeded in keeping from the jury all evidence bearing directly on the murder of the Pitzeis children. The decision of the Court ruling this evidence out

quency the District-Attorney asked for time in which to rearrange his case. The Court granted the request the usual night session was held, and the case went over until to-morrow morning. District-Attorney Graham, however, is convinced that the evidence he has already presented to the jury will convict Holmes. Although the direct evidence possessed by the Commonwealth that Holmes killed Pletzel is circumstantial, so strong is this chain of presumptive testimony that to any one who has followed the

Sunday in September a year ago Holmes killed Pletzel in the house at No. 1,316 Callowhill-st. Notwithstanding the decision of Judge Arnold to-day, much indirect evidence has been produced, showing that Holmes unquestionably made away with the Pletzel children, and this, in all probability, will have weight with the jury.

THE FEATURES OF THE DAY.

The decision of Judge Arnold, the confrontation of Holmes by the woman whom he deceived into believing she was his legal wife and the breaking down of the prisoner which followed were the leading features of the proceedings to-day. After several witnesses had testified this morning the name of Miss Yoke was called.

Holmes had expected that the woman whom he had lured into marriage with the belief that he was single would be called on to give testimony against him, but the prospect of her appearance in the witness-box completely unnerved him. He called eagerly to his counsel and urged them with earnestness to object to the witness. In the mean time, however, Miss York had taken her place on the witness-stand. From his behavior as she did so, it would seem as if Holmes really loved this woman. As she came forward his pallid face flushed to the brows, and then the blood retreated, leaving him ghastly white. He looked appealingly at

her, but she carefully avoided glancing in his direction. When the girl so evidently avoided even so much as looking at him, Holmes bowed to his head and struggled with a sob which shook his frame, while he wiped the tears from his face. He appealed piteously to his lawyers to have the witness taken from the stand. The combatants as well as they could the evidence of the District-Attorney that Miss Yoke was not his legal wife, and was therefore, competent under the statutes of this State to testify against the prisoner. The testimony that there was at least one and probably were two other women with whom Holmes had gone through a legal marriage ceremony was convincing.

MISS YOKE'S EVIDENCE DISAPPOINTING

Before she began her testimony Holmes counsel said that the prisoner would cross-examine the witness himself. Miss Yoke was one of the star witnesses for the Commonwealth, but, beyond proving that Pietzel called on Holmes the night before the day he was killed, and that Holmes told her that he had an engagement with Pietzel on the next day, and was absent from the house from 10:30 in the morning until 4:30 in the afternoon on Sunday, her evidence was of little value to the prisoner as those

the courtroom expected. She seemed to have no knowledge of any of the occurrences bearing directly on the murder of Pietzel or the children. Throughout the time in which these things occurred she was constantly with Holmes. But he easily deceived her as to the reason for the hurried movements from city to city by specifying other reasons.

While Miss Yoke was testifying, Holmes recovered his composure, and when he arose to cross-examine her his voice was steady and loud, so that it has been at times said that he was more than a match for the examination of the witness who did not look and he succeeded in drawing from her some statements that were favorable to him. Holmes did not show his examination of Miss Yoke, but he gave notice that he would call her as a witness for himself.

At this afternoon's session Detective Geyer

zel children and discovered their bodies, was placed on the stand. Geyer was expected to be the chief witness of the prosecution. He told of the conflicting story of the murder of Holmes by the mother of Pletzel's death. One of the stories was that the body found in the house in Callowhill-st. was a bogus corpse, and the last story and the one to which Holmes has since adhered was that Pletzel committed suicide and that he discovered the body and with it carried out the scheme to defraud the insurance company.

THE EVIDENCE RULED OUT.

When Mr. Graham started to have the witness tell of the finding of the bodies of the Pletzel children the defence made the most stubborn fight it has waged since the trial began. The jury was sent from the room, and the question of the admissibility of the evidence was argued. Mr. Graham made an impassioned and really eloquent speech for the introduction of the evidence. In a few minutes, however, he was told that the

ably able manner for a young and comparatively inexperienced lawyer. Judge Arnold without hesitation decided that the killing of the children had no direct bearing on the murder of Pletze. He said that if Holmes was acquitted here he could be taken either to Toronto or Indianapolis to be tried for the murders committed there, and

Holmes had watched the face of the judge attentively while he spoke, and when he rendered his decision a gleam of relief passed over his countenance, and there came a sudden gulp in his throat. The decision of Judge Arnold meant that the line of prosecution outlined

for to-day by Mr. Graham, and after some testimony of an unimportant character the court adjourned until to-morrow morning.

END OF THE TRIAL NEAR.

The attorneys for the defence were joyful over

the decision of Judge Arnold, and they now are to believe that there is a prospect that the jury will acquit Holmes, as they say that no evidence has been produced showing directly that the prisoner killed Pletzel. Mr. Graham is equally confident that he has placed a noose around the neck by the evidence he has already

presented. Judge Arnold's decision has cut off the testimony of about fifty witnesses for the Commonwealth from Indianapolis, Toronto and other places, and, in consequence, the prosecution will call only two more witnesses. One of them will be Dr. Leffman, an expert chemist, who will

testify to the effect produced by the use of chloroform on the system of a human being. The defence have no witnesses except those of the Commonwealth, which they gave notice they would call in their behalf. These will probab-

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